IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KWIKSET CORPORATION and NEWFREY LLC,	)	
Plaintiffs,	)	
	)	C.A. No.
v.	)	
	)	DEMAND FOR JURY TRIAL
MASTER LOCK COMPANY LLC,	)	
Defendant.	)	

COMPLAINT

Plaintiffs Kwikset Corporation and Newfrey LLC, for their complaint against defendant Master Lock Company LLC, state the following:

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

PARTIES

2. Kwikset Corporation ("Kwikset") is a Delaware corporation with headquarters in Lake Forest, California. Kwikset manufactures and sells, among other products, an extensive line of door hardware including locksets.

3. Newfrey LLC ("Newfrey") is a Delaware limited liability company with its principal place of business in Newark, Delaware.

4. Master Lock Company LLC ("Master Lock") is a Delaware limited liability company having a principal place of business in Oak Creek, Wisconsin. Master Lock's agent for service of process in this judicial district is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808. Master Lock sells a variety of

lock and door-hardware products throughout the United States including in this judicial district. Master Lock's products include re-keyable door locks that infringe the '813 patent.

JURISDICTION AND VENUE

5. Newfrey is the owner of title to United States Patent No. 6,973,813 B2 titled "Re-keyable Lock and Method," issued on December 13, 2005 (the "'813 patent," a copy of which is attached as Exhibit A to this complaint).

6. Kwikset is the sole licensee of the '813 patent in the United States, and has sufficient exclusive rights in the '813 patent to sue for infringement with the title holder, Newfrey.

7. Kwikset and Newfrey have standing to sue Master Lock for infringement of the '813 patent, and to recover damages for all infringement.

8. This Court has exclusive jurisdiction over the subject matter of this complaint for patent infringement, pursuant to 28 U.S.C. §§ 1331 and 1338(a).

9. Venue is proper in this judicial district under 28 U.S.C. § 1400(b). Master Lock is a Delaware LLC that resides in this judicial district and does business in this district. The products at issue in this suit are offered for sale to residents of this judicial district.

PATENT INFRINGEMENT

10. Master Lock has infringed the '813 patent by committing at least the following acts of infringement in the United States: using, making and/or importing, selling and offering for sale of re-keyable lock products that are covered by at least claims 21, 22 and 24 of the '813 patent. The Master Lock products that infringe the '813 patent include at least the "Master Lock Recodable Door Hardware" line of products with rekeyable lock cylinders that use a rekeying tool.

11. Master Lock's infringement has injured Kwikset and Newfrey, and they are entitled to recover damages adequate to compensate for such infringement, but in no event less than a reasonable royalty.

12. Kwikset and Newfrey have satisfied the marking and notice requirements of 35 U.S.C. § 287.

13. Master Lock's infringement will continue to injure Kwikset and Newfrey, unless and until this Court enters an injunction prohibiting further infringement by importation, manufacture, use, sale and/or offer for sale of door hardware products within the scope of the '813 patent.

REQUEST FOR RELIEF

WHEREFORE, Plaintiffs ask this Court to enter judgment against the defendant, and against any subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with the defendant, granting the following relief:

A. An award of damages adequate to compensate Plaintiffs for the infringement that has occurred, but in no event less than a reasonable royalty, together with prejudgment interest from the date infringement began;

B. Increased damages for willful infringement as provided by 35 U.S.C. § 284;

C. A finding that this case is exceptional and an award to Plaintiffs of their attorneys' fees and costs as provided by 35 U.S.C. § 285;

D. A permanent injunction prohibiting further infringement of U.S. Patent No. 6,973,813 B2; and

E. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

Plaintiffs demand a trial by jury on all issues so triable in this case.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

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March 25, 2008
2023122

EXHIBIT A

US006973813B2

(12) **United States Patent**
Erdely

(10) **Patent No.: US 6,973,813 B2**
(45) **Date of Patent: Dec. 13, 2005**

(54) **RE-KEYABLE LOCK AND METHOD**

(75) Inventor: **Edward Erdely**, Aliso Viejo, CA (US)

(73) Assignee: **Newfrey LLC**, Newark, DE (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **10/729,555**

(22) Filed: **Dec. 5, 2003**

(65) **Prior Publication Data**

US 2005/0120765 A1 Jun. 9, 2005

(51) **Int. Cl.**[7] **E05B 27/00**
(52) **U.S. Cl.** **70/492**; 70/495; 70/377; 70/384; 70/419
(58) **Field of Search** 70/419, 492, 340, 70/377, 495, 382, 384

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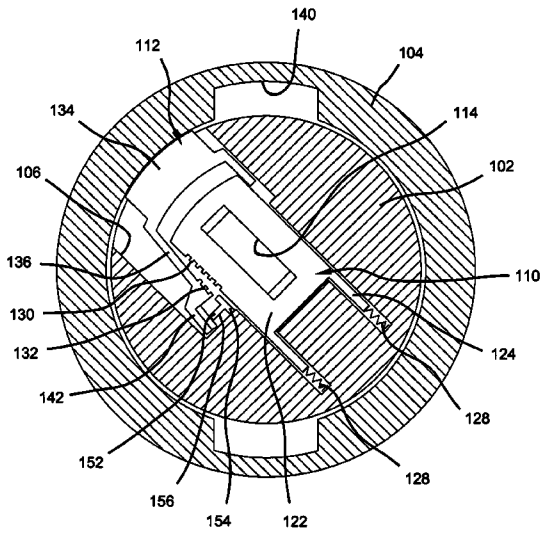
(74) *Attorney, Agent, or Firm*—Harness, Dickey & Pierce, P.L.C.

(57) **ABSTRACT**

A re-keyable lock and method. The lock has locked and unlocked positions and includes a housing and a cylinder rotatably supported in the housing. The lock includes a plurality of wafer tumblers resiliently supported in corresponding channels formed in the cylinder. Each wafer tumbler includes a rider element selectively engaged with a base element in first and second engagement positions, wherein the first engagement position corresponds to a first key and the second engagement position corresponds to a second key. The lock also includes a re-keying mechanism such as a re-keying tool which is inserted in a re-keying slot when the lock is in the unlocked position to disengage the rider element from the corresponding base element in the first engagement position and to re-engage the rider element to the base element in the second engagement position.

41 Claims, 7 Drawing Sheets



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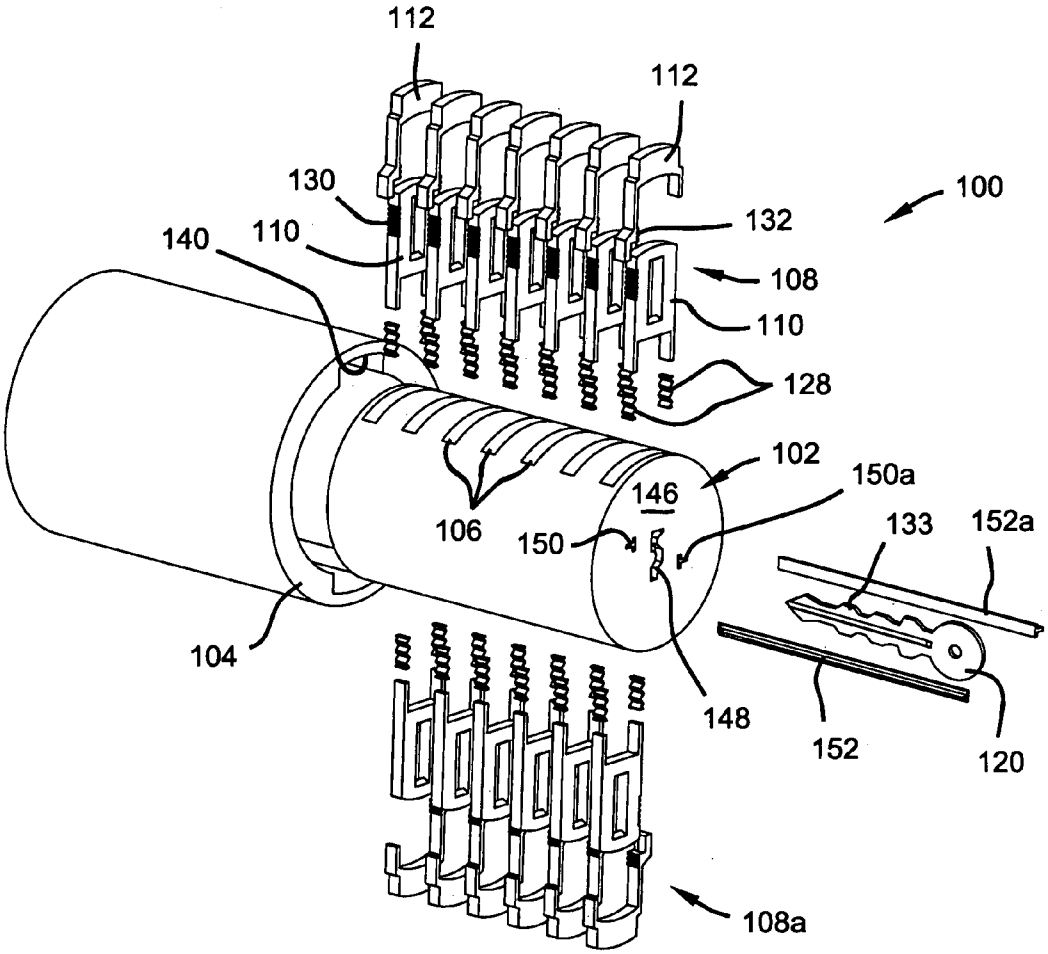

112
112
130
140
110
100
132
108
110
128
102
150a
146
106
150
133
152a
104
148
152
120
108a

FIG 1

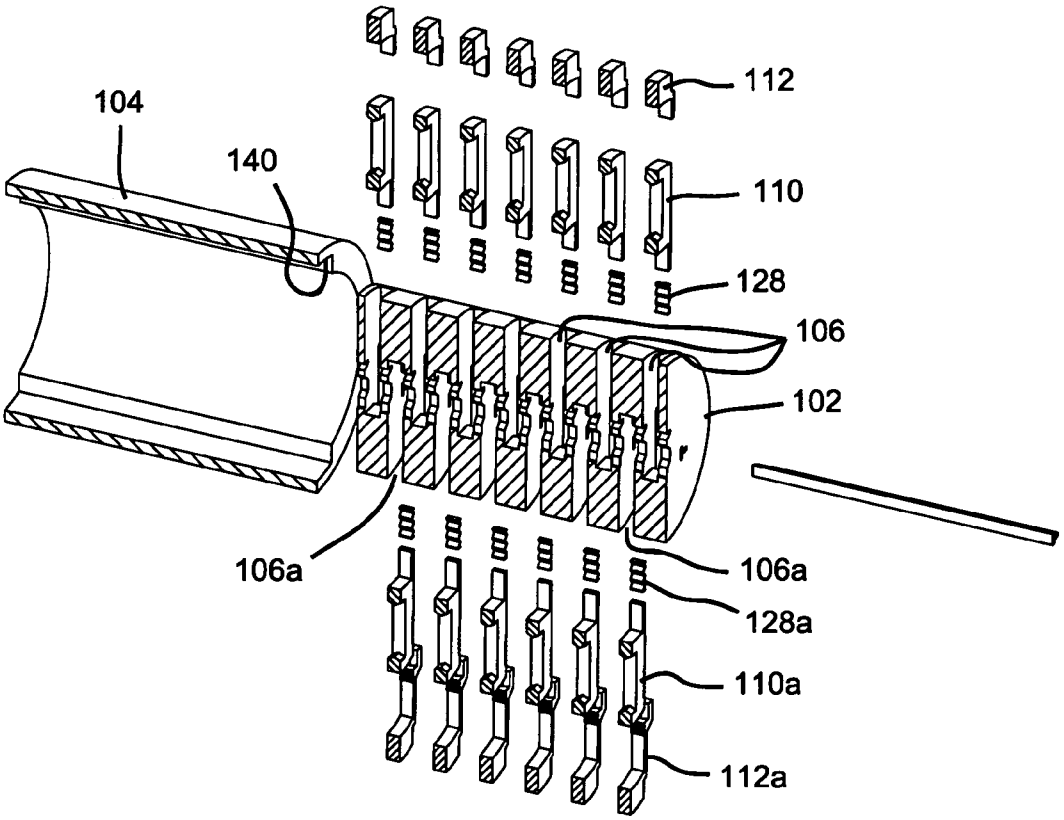


FIG 2

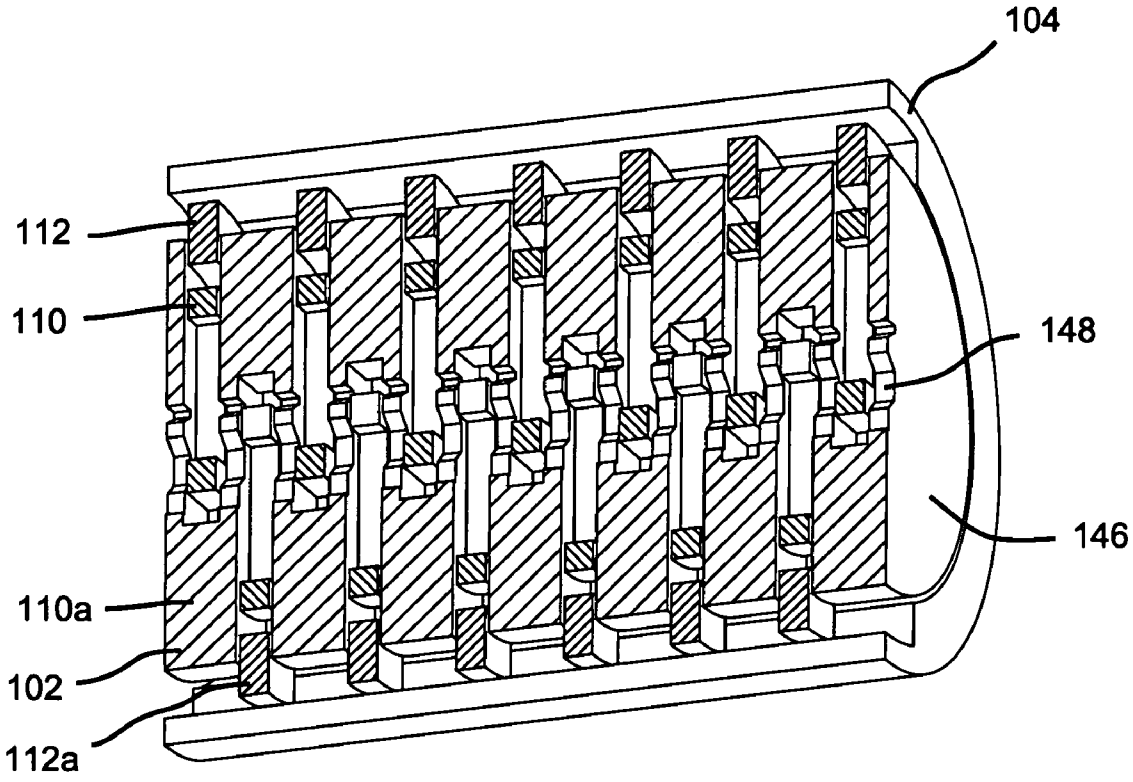


FIG 3

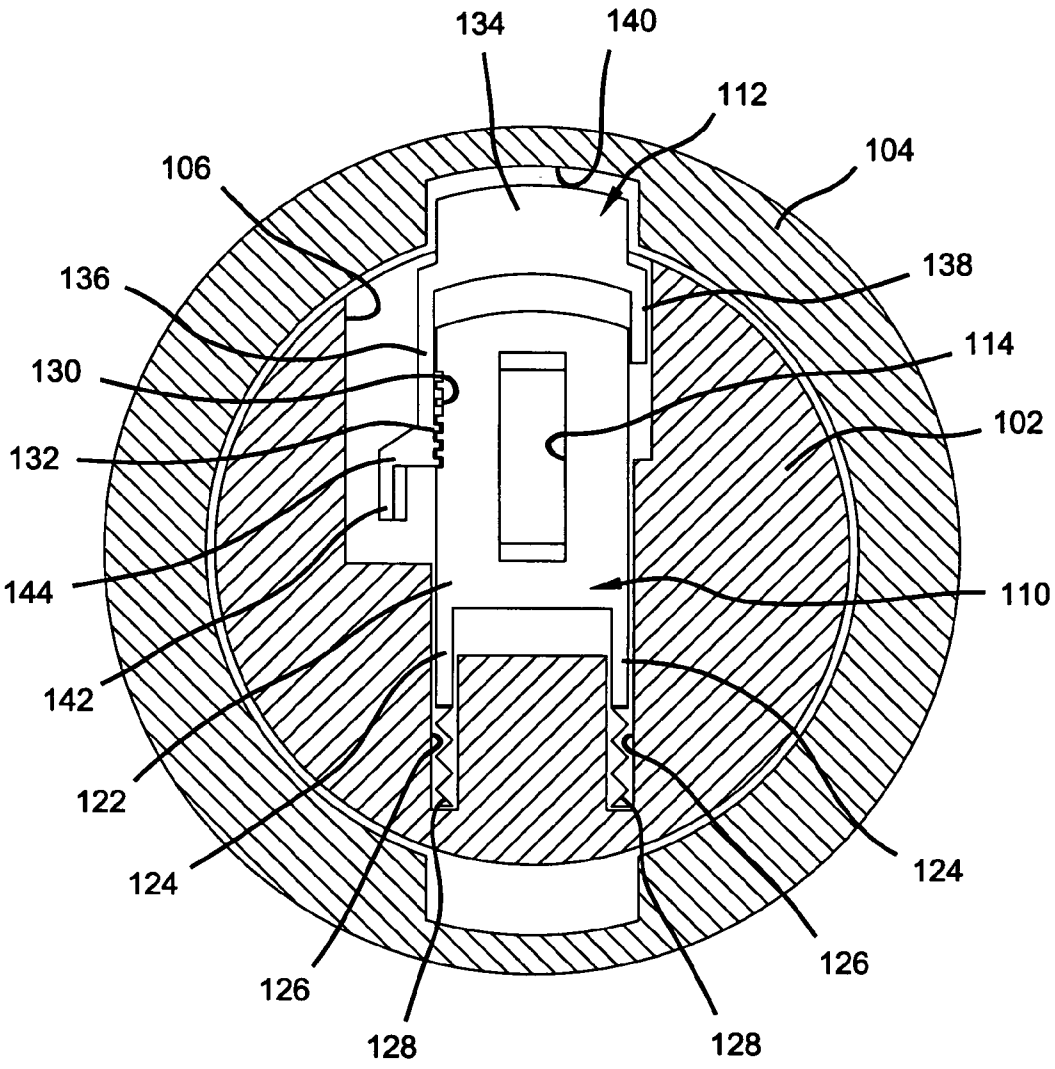

134
140
112
104
106
136
138
114
130
102
132
144
110
142
122
124
124
126
126
128
128

FIG 4

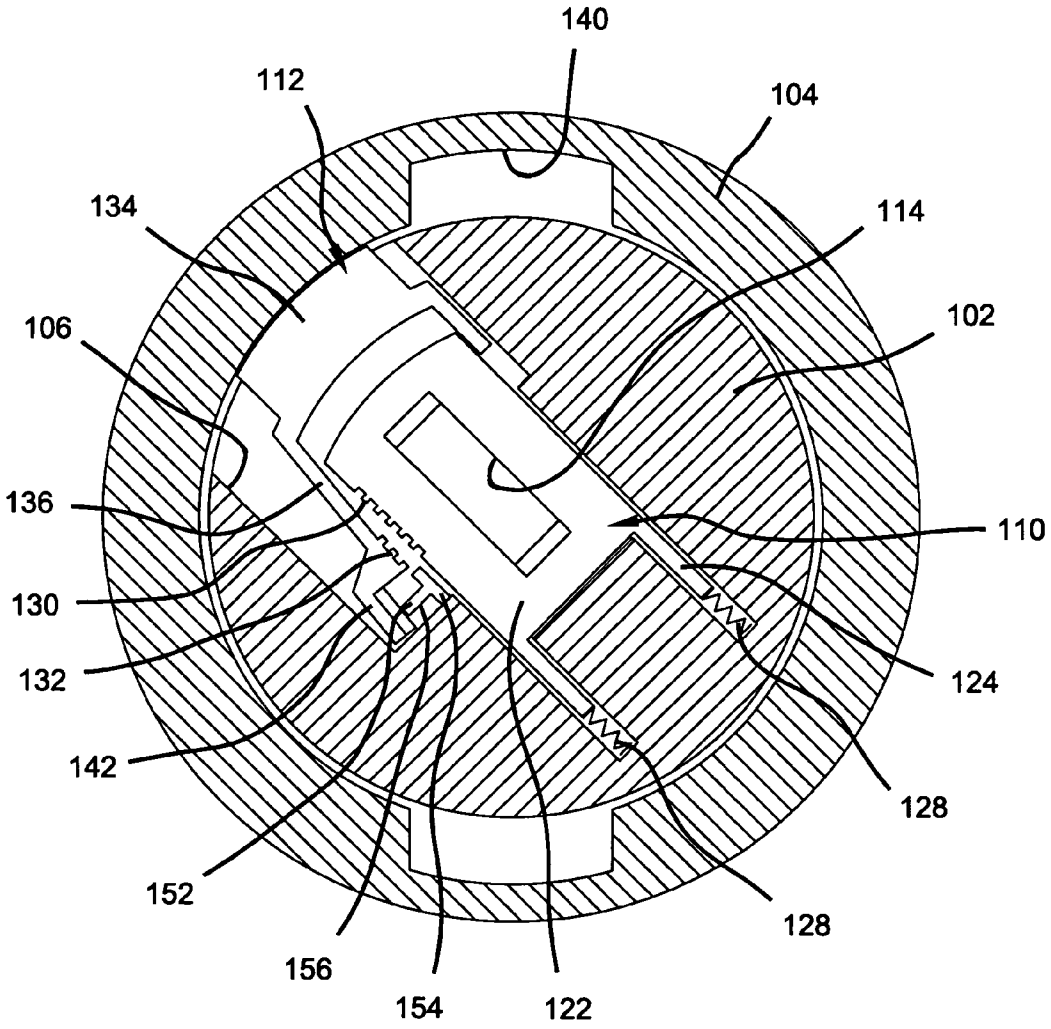

140
112
104
134
114
106
102
136
110
130
124
132
142
128
152
128
156
154
122

FIG 5

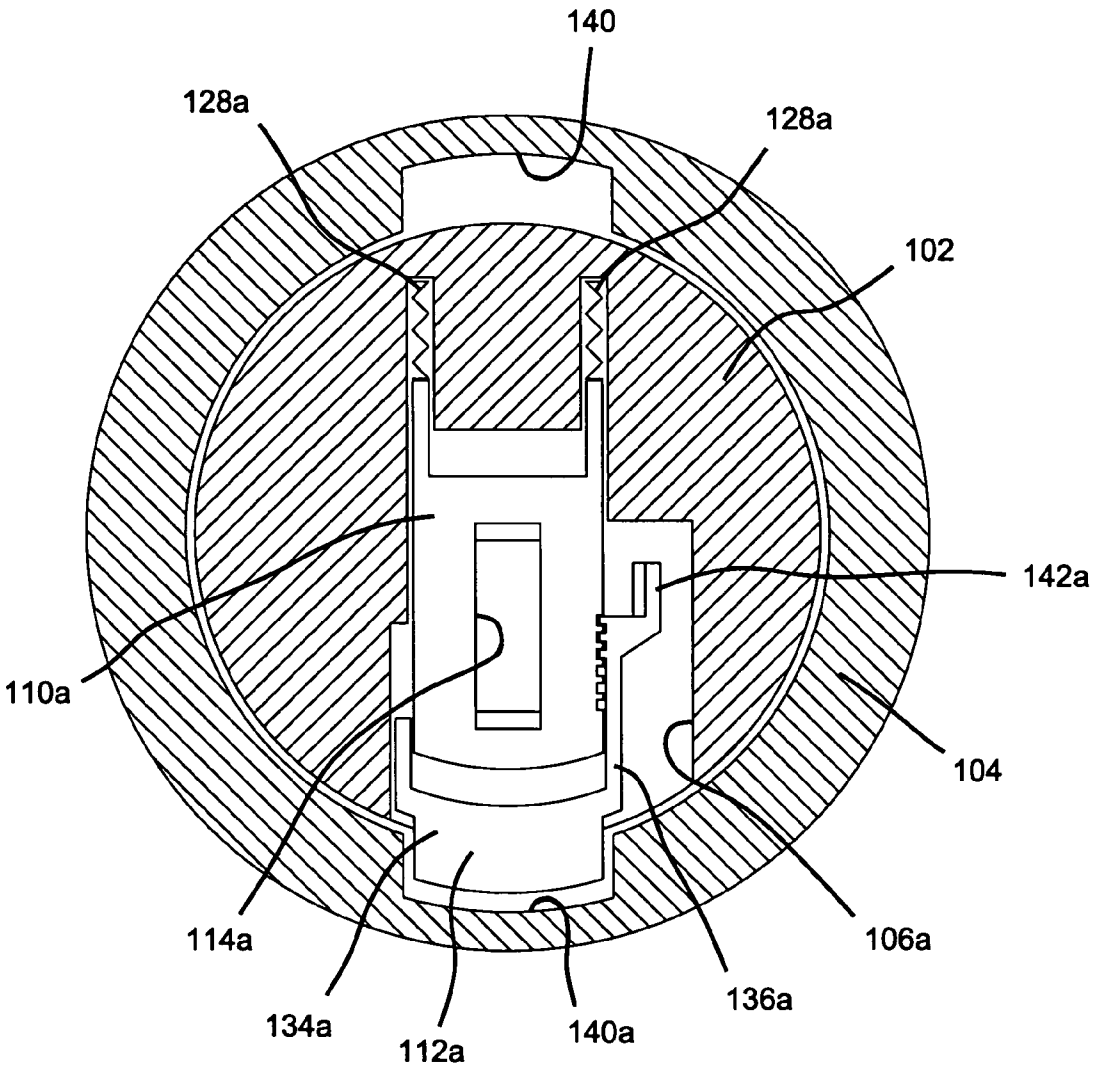


FIG 6

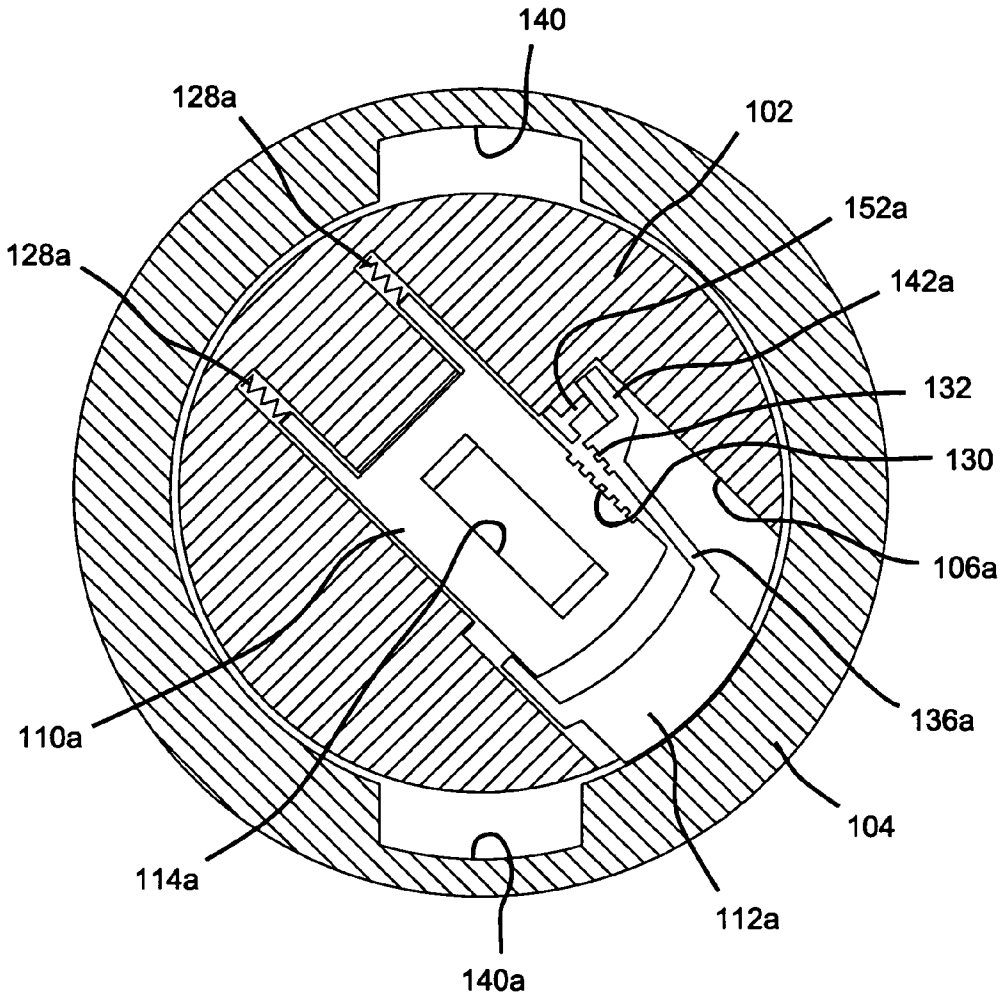

140
128a
102
152a
128a
142a
132
130
106a
136a
110a
104
114a
112a
140a

FIG 7

RE-KEYABLE LOCK AND METHOD

BACKGROUND OF THE INVENTION

Most common locks are pin-tumbler cylinder locks or wafer-tumbler cylinder locks. Each of these locks contains a cylinder or plug which rotates within a housing or shell. In the pin-tumbler locks, pin holes containing top and bottom pin tumblers extend transversely through both the cylinder and the housing, and may be crossing the shear line, i.e. the boundary between the cylinder and the housing. The pin tumblers slide up and down within the pin holes defining a locked position and an unlocked position. When a pin tumbler crosses the shear line, the pin tumbler interferes with the rotation of the cylinder and the cylinder remains locked. When the correct key is inserted in the lock, the bitting on the key contact the pin tumblers and force them to slide within their pin holes such that no pin crosses the shear line. The cylinder can then rotate within the housing when a torque is applied by the key to unlock the lock.

Wafer-tumbler locks have wafer-shaped tumblers which slide up and down within channels that extend from the cylinder to the housing. The wafer tumblers are spring loaded so that they can extend out of the cylinder and into a locking slot within the housing, thereby preventing rotation of the cylinder relative to the housing in a locked position. The center of each of the wafer tumblers has an opening for receiving a key. The correct key moves the wafer tumblers out of the locking slot, such that torque applied to the cylinder rotates the cylinder within the housing and unlocks of the lock.

To avoid or reduce the costs of changing or re-keying locks in office and apartment buildings, for example, several types of re-keyable locks that do not require disassembly have been developed for pin-tumbler locks, see, for example, U.S. Pat. Nos. 4,412,850 and 5,233,850. Simple and cost-effective re-keyable locks for wafer tumbler systems are still needed.

SUMMARY

One embodiment of the invention provides a re-keyable lock and method. The lock has locked and unlocked positions and may include a housing and a cylinder rotatably supported in the housing and having a plurality of channels. The lock includes a plurality of wafer tumblers resiliently supported in the corresponding channels. Each wafer tumbler has a rider element selectively engaged with a base element in first and second engagement positions, wherein the first engagement position corresponds to a first key and the second engagement position corresponds to a second key. The lock also includes a re-keying slot on a face of the cylinder such that a re-keying tool can be inserted in the slot when the cylinder is in a learn position to disengage each rider element from the corresponding base element in the first engagement position to enable re-engaging the rider element to the base element in the second engagement position. In this manner, the lock may be re-keyed without disassembly of the cylinder assembly.

BRIEF DESCRIPTION OF THE DRAWINGS

In the accompanying Figures, there are shown present embodiments of the invention wherein like reference numerals are employed to designate like parts and wherein:

FIG. **1** is an exploded perspective view of an embodiment of a lock according to the present invention;

FIG. **2** is a exploded perspective view of a longitudinal section of the lock of FIG. **1**;

FIG. **3** is an assembled perspective view of a longitudinal section of the lock of FIG. **1**;

FIG. **4** is a sectional view of the lock showing an embodiment of a first wafer tumbler in a locked and engaged position;

FIG. **5** is a sectional view of the lock showing the first wafer tumbler of FIG. **4** in an unlocked and disengaged position;

FIG. **6** is a sectional view of the lock showing an embodiment of a second wafer tumbler in a locked and engaged position; and

FIG. **7** is a sectional view of the lock showing the second wafer tumbler of FIG. **6** in an unlocked and disengaged position.

DETAILED DESCRIPTION OF THE INVENTION

Referring now to the drawings for the purpose of illustrating the invention without limiting the same, it is to be understood that standard components or features that are within the purview of an artisan of ordinary skill and do not contribute to the understanding of the various embodiments of the invention are omitted from the drawings to enhance clarity and are not described. In addition, it will be appreciated that the characterizations of various components and orientations described herein as being "vertical" or "horizontal", "right" or "left", "side", "top" or "bottom", are relative characterizations only based upon the particular position or orientation of a given component for a particular application.

FIG. **1** is an exploded view of an embodiment of a re-keyable lock **100** according to the invention. The lock **100** includes a cylinder **102**, which rotates in a housing **104**. The cylinder **102** has a plurality of first channels **106** as best see in FIGS. **2** and **4**. The first channels **106** are sized to receive a first set of wafer tumblers **108**. Each first wafer tumbler **108** includes a base element **110** and a rider element **112**. As presently preferred, each base element **110** is a substantially flat plate that has an opening **114** that allows a key **120** to be inserted into the lock **100**. In one embodiment, the base element **110** may have a lower portion **122**, which may be U-shaped and have two legs **124** as best seen in FIG. **4**. The legs **124** may be received in corresponding cavities **126** that extend from the corresponding first channel **106**. The base element **110** is resiliently supported in the corresponding first channel **106** by any resilient mechanism, such as, for example, by two springs or coils **128** that are received in the cavities **126**. The springs **128** bias the base element **110** toward the housing **104** and away from the cavities **126** to a "locked position", shown in FIG. **4**, in which the cylinder **102** cannot turn relative to the housing **104**, as is explained below.

Each base element **110** includes a plurality of engagement formations, such as slots or tabs, **130**. Each rider element **112** may have an open frame that is supported on a corresponding base element **110**. The rider element **112** includes a top portion **134**, an engagement arm **136**, and a support arm **138**. The engagement arm **136** includes one or more engagement formations, such as tabs or slots, **132**, that are engagable with one of the engagement formations **130** of the base element **110**. The support arm **138** may contact a portion of the base element **110** providing additional stability for the rider element **112**. The top portion **134** of the rider element **112** may be biased by the spring-loaded base

element **110** into a locking slot **140** in the housing **104**, thereby locking the lock **100** and preventing the cylinder **102** from rotating relative to the housing **104**. The locking slot **140** is appropriately sized and shaped to receive the upper portion **134** of the rider element **112** in the locked position.

The engagement slots **130** of the base element **110** are spaced at distances that correspond to standard sizes of bitting **133** in the key **120**. As is well-known in the art, the sequence of bitting sizes determines the proper key for a lock. Conventionally, each bitting size is designated by an integer number. For a lock with seven wafer tumblers, for example, a sequence of seven digits determines the locking combination of the key. The sequence "1212121", for example, includes three bittings of size **2** and four bittings of size **1**. By way of example, when the rider element **112** is provided with one engagement tab **132**, and the base element **110** is provided with six engagement slots **130**, each wafer tumbler **108** may assume any one of six positions corresponding to six different bitting numbers. When the rider element **112** is provided with two tabs **132** for six engagement slots **130**, then each first wafer tumbler **108** may assume any one of five positions corresponding to five different bitting numbers. In the embodiment shown in FIG. **4**, the rider element **112** is provided with three engagement tabs **132** for the six engagement slots **130** of the base element **110**, and therefore the first wafer tumblers **108** for this embodiment may assume any one of four positions corresponding to four different bitting numbers. In general, the number of different bitting numbers available for each wafer tumbler **108** is determined by the number of available positions in which the engagement tabs **132** can be placed into the engagement slots **130**. Assuming that the number of slots N2 is greater than the number of tabs N1, the number of available positions equals N2−N1+1.

It should be appreciated that the shapes of the engagement tabs **132** and the engagement slots **132** do not have to be rectangular, as is shown in the embodiment of FIG. **4**. Other shapes, including curves and straight lines may also be used. Furthermore, the placement of the engagement tabs **132** and engagement slots **130** may be interchanged, i.e., the engagement tabs **132** may be placed in the base element **110** and engagement slots **130** may be placed in the rider element **112**. A periodic pattern of tabs **132** alternating with slots **130** may also be used in both the engagement arm **136** and the base element **110**, as shown in FIG. **4**.

As presently preferred, the engagement arm **136** is a flexible element that includes a flange **142** extending from an end **144** that is adjacent to the tabs **132**. By exerting a force against the flange **142**, the engagement tabs **132** of the rider element **112** may be disengaged from the engagement slots **130** of the base element **110** to allow re-keying the lock **100** as is described below.

The cylinder **102** includes a face **146** having a keyway **148** and a re-keying slot **150**. The re-keying slot **150** may be sized to receive a re-keying tool **152**. The re-keying tool **152** is a long rod, which, when inserted into the re-keying slot **150**, pushes against the flange **146** and the base element **110** causing the engagement arm **136** to deflect, and thereby prying the engagement tabs **132** out of the engagement slots **130**. The re-keying slot **150** may be positioned relative to cylinder **102** such that the re-keying tool **152** may engage the flange **142** when the original correct key **120** is inserted in the keyway **148** to rotate the cylinder **102** into an position as shown in FIG. **5**. In the unlocked position, each wafer tumbler **108** may be completely received in the corresponding first cylinder channel **106**, i.e. all the top portions **136** are disengaged from and are out of the first locking slot **140** of the housing **104**, such that there is no interference in the rotation of the cylinder **102** relative to the housing **104**.

The re-keying slot **150** may have, for example, a T-shaped cross-section and the tool **152** may also have a T-shaped cross-section. The flange **154** of the tool **152** may push against base element **110**, while the web **156** of the tool **152** pushes against the flange **142** of the rider element **112**, thereby disengaging the rider element **112** from the base element **110**. The re-keying tool **152** is preferably tapered along its length to facilitate disengagement of the rider elements **112** from the base elements **110**. While the present invention has been described with reference to a re-keying tool which is separable from the lock **100**, one skilled in the art will recognize that similar structure which is integral with the lock could be utilized to provide the described re-keying function.

The lock **100** is re-keyed by the following procedure. Initially, the rider elements **112** are engaged with the base elements **110** in a first engagement position that corresponds to a first key **120**, e.g., the original unlocking key **120**, as shown in FIG. **4**. The first key **120** is inserted in the keyway **148** and the cylinder **102** is rotated to unlock the lock **100** as shown in FIG. **4**, thereby placing the lock **100** in a learn mode. In this state, the lock **100** may be re-keyed by insert in the re-keying tool **152** in the re-keying slot **150** such that the engagement arm **136** of the rider element **112** is disengaged from the base element **110**. The first key **120** can be removed and a second key inserted in the keyway **148**. The tool **152** is then removed, forcing the rider elements **112** to engage the base elements **104** in a second engagement position that is determined by the bitting **133** of the second key, thereby re-keying the lock **100** for the second key.

As illustrated in the Figures, the lock **100** includes a second set of wafer tumblers **108***a* received in corresponding second channels **106***a* in the cylinder **102**. The second wafer tumblers **108***a* are similar to first wafer tumblers **108** described above and thus their description will not be repeated. Elements of the second wafer tumblers **108***a* corresponding to similar elements of the first wafer tumblers **108** are indicated by the same reference numbers followed by the letter "a". For example, each second wafer tumbler **108***a* may include a rider element **112***a* and a base element **110***a*, etc. As best seen in FIG. **2**, the second channels **106***a* are interlaced with the first channels **106** and the first and second wafer tumblers **108**, **108***a* are positioned such that the engagement arms **136**, **136***a* are on opposite sides relative to the keyway **148** of the lock **100**. As an example, seven first wafer tumblers **108** and six second wafer tumblers **108***a* are shown in the embodiment of FIG. **1**. However, one skilled in the art will recognize that the number and location of water tumblers in a given lock may vary depending on the requirements of the particular application.

The rider elements **112***a* of the second wafer tumblers **108***a* are disengaged from the corresponding base elements **110***a* by inserting a second re-keying tool **152***a* through a second re-keying slot **150***a* on the face **146** of the cylinder **102** in the unlocked position as seen in FIGS. **6** and **7**. It will be appreciated that the engagement positions of the second rider elements **112***a* on the second base elements **110***a* are not dictated by, and thus are independent of the engagement positions of the rider elements **112** on the base elements **110**. Accordingly, the unlocking keys may have either symmetric or non-symmetric bitting **133**.

In one embodiment, the first and second base elements **110**, **110***a* and the first and second rider elements **112**, **112***a* may have tapered thickness to facilitate inserting the key **120** in the openings **114**,**114***a* of the first and second base

elements, respectively, and inserting the re-keying tools **152**, **152***a* in the corresponding re-keying slots **150**, **150***a* as best seen in FIGS. **4**–**7**.

From the above description, it will be appreciated that the invention provides a versatile, cost-effective and convenient re-keyable lock **100**. Many combinations of first and second wafer tumblers **108**, **108***a* are possible. Many sequences of engagement formations **130**, **132** are also available and may be selected for each wafer tumbler **108**, **108***a*. Therefore, a great number of new keys may be provided for re-keying the same lock **100** without ever having to disassemble it.

Whereas particular embodiments of the invention have been described herein for the purpose of illustrating the invention and not for the purpose of limiting the same, it will be appreciated by those of ordinary skill in the art that numerous variations of the details, materials and arrangement of parts may be made within the principle and scope of the invention without departing from the spirit of the invention. The preceding description, therefore, is not meant to limit the scope of the invention. Rather the scope of the invention is to be determined only by the appended claims and their equivalents.

What is claimed is:

1. A re-keyable lock comprising:

a cylinder rotatably supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot and a transverse channel;

a locking mechanism including a wafer tumbler resiliently supported in said transverse channel and positionable therein between an engaged position wherein said wafer tumbler engages said housing and a disengaged position wherein said wafer tumbler disengages said housing, said wafer tumbler including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element integral with the rider element and positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element, wherein said coupling element comprises a flexible element biased to couple said base element and said rider element, said flexible element being deflectable to uncouple said base element and said rider element; and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed.

2. The lock of claim **1**, wherein said rider element selectively engages a plurality of engagement formations in said base element, each of said plurality of engagement formations corresponding to a bitting size.

3. The lock of claim **2**, wherein each of said plurality of engagement formations comprise a tab.

4. The lock of claim **2**, wherein each of said plurality of engagement formations comprise a slot.

5. The lock of claim **1**, wherein said locking mechanism further comprises a plurality of wafer tumblers, each of said plurality of wafer tumblers resiliently supported in one of a plurality of transverse channels formed in said cylinder.

6. A re-keyable lock comprising:

a cylinder rotatable supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot and a transverse channel;

a locking mechanism including a wafer tumbler resiliently supported in said transverse channel and positionable therein between an engaged position wherein said wafer tumbler engages said housing and a disengaged position wherein said wafer tumbler disengages said housing, said wafer tumbler including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element integral with the rider element and positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element, and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed, wherein said re-keying mechanism having a re-keying element positionable relative to said wafer tumbler within said cylinder to engage said coupling element, said re-keying element including a re-keying tool insertable into a re-keying slot formed in said cylinder to deflect said flexible element.

7. The lock of claim **6**, wherein said re-keying slot is T-shaped.

8. The lock of claim **6**, wherein said re-keying tool is tapered.

9. A re-keyable lock comprising:

a cylinder rotatable supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot and a transverse channel;

a locking mechanism including a wafer tumbler resiliently supported in said transverse channel and positionable therein between an engaged position wherein said wafer tumbler engages said housing and a disengaged position wherein said wafer tumbler disengages said housing, said wafer tumbler including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element integral with the rider element and positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element, wherein said base element comprises a first body portion and a pair of legs extending therefrom, said pair of legs being received in a mating portion of said transverse channel;

a pair of springs disposed in said mating portion of said transverse channel and engaging said pair of legs to bias said locking mechanism into said engaged position; and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed.

10. A re-keyable lock comprising:

a cylinder rotatable supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot and a transverse channel;

a locking mechanism including a wafer tumbler resiliently supported in said transverse channel and positionable

therein between an engaged position wherein said wafer tumbler engages said housing and a disengaged position wherein said wafer tumbler disengages said housing, said wafer tumbler including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element integral with the rider element and positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element, wherein said base element includes a first body portion and a pair of legs extending therefrom, said pair of legs being received in a mating portion of said transverse channel, and wherein said rider element includes a pair of arms extending from a second body portion, said pair of arms capturing said first body portion therebetween; and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed.

11. A re-keyable lock comprising:

a cylinder rotatably supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot, a first set of transverse channels and a second set of transverse channels oppositely interlaced with said first set of transverse channels;

a locking mechanism including:

a first set of wafer tumblers resiliently supported in said first set of transverse channels and positionable therein between an engaged position wherein said first set of wafer tumblers engage said housing and a disengaged position wherein said first set of wafer tumblers disengage said housing; and

a set of second wafer tumblers resiliently supported in said second set of transverse channels and positionable therein between an engaged position wherein said second set of wafer tumblers engage said housing and a disengaged position wherein said second set of wafer tumblers disengage said housing;

each wafer tumbler of said first and second sets of wafer tumblers including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element integral with the rider element and positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element, wherein said coupling element includes a flexible element biased to couple said base element and said rider element, said flexible element being deflectable to uncouple said base element and said rider element; and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed.

12. The lock of claim **11**, wherein said rider element selectively engages a plurality of engagement formations in said base element, each of said plurality of engagement formations corresponding to a bitting size.

13. The lock of claim **12**, wherein each of said plurality of engagement formations comprise a tab.

14. The lock of claim **12**, wherein each of said plurality of engagement formations comprise a slot.

15. A re-keyable lock comprising:

a cylinder rotatable supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot, a first set of transverse channels and a second set of transverse channels oppositely interlaced with said first set of transverse channels;

a locking mechanism including:

a first set of wafer tumblers resiliently supported in said first set of transverse channels and positionable therein between an engaged position wherein said first set of wafer tumblers engage said housing and a disengaged position wherein said first set of wafer tumblers disengage said housing; and

a set of second wafer tumblers resiliently supported in said second set of transverse channels and positionable therein between an engaged position wherein said second set of wafer tumblers engage said housing and a disengaged position wherein said second set of wafer tumblers disengage said housing;

each wafer tumbler of said first and second sets of wafer tumblers including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element integral with the rider element and positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element; and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed, said re-keying mechanism having a re-keying element positionable relative to said wafer tumbler within said cylinder to engage said coupling element, and said re-keying element includes a re-keying tool insertable into a re-keying slot formed in said cylinder to deflect said flexible element.

16. The lock of claim **15**, wherein said re-keying slot is T-shaped.

17. The lock of claim **15**, wherein said re-keying tool is tapered.

18. A re-keyable lock comprising:

a cylinder rotatably supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot, a first set of transverse channels and a second set of transverse channels oppositely interlaced with said first set of transverse channels;

a locking mechanism including:

a first set of wafer tumblers resiliently supported in said first set of transverse channels and positionable therein between an engaged position wherein said first set of wafer tumblers engage said housing and a disengaged position wherein said first set of wafer tumblers disengage said housing; and

a set of second wafer tumblers resiliently supported in said second set of transverse channels and positionable therein between an engaged position wherein

said second set of wafer tumblers engage said housing and a disengaged position wherein said second set of wafer tumblers disengage said housing;

each wafer tumbler of said first and second sets of wafer tumblers including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element integral with the rider element and positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element, wherein said base element comprises a first body portion and a pair of legs extending therefrom, said pair of legs being received in a mating portion of said transverse channels;

a pair of springs disposed in said mating portion of said transverse channel and engaging said pair of legs to bias said locking mechanism into said engaged position; and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed.

19. A re-keyable lock comprising:

a cylinder rotatable supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot, a first set of transverse channels and a second set of transverse channels oppositely interlaced with said first set of transverse channels;

a locking mechanism including:

a first set of wafer tumblers resiliently supported in said first set of transverse channels and positionable therein between an engaged position wherein said first set of wafer tumblers engage said housing and a disengaged position wherein said first set of wafer tumblers disengage said housing; and

a set of second wafer tumblers resiliently supported in said second set of transverse channels and positionable therein between an engaged position wherein said second set of wafer tumblers engage said housing and a disengaged position wherein said second set of wafer tumblers disengage said housing;

each wafer tumbler of said first and second sets of wafer tumblers including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element integral with the rider element and positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element, wherein said base element comprises a first body portion and a pair of legs extending therefrom, said pair of legs being received in a mating portion of said transverse channels, wherein said rider element includes a pair of arms extending from a second body portion, said pair of arms capturing said first body portion therebetween; and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed.

20. A re-keyable lock comprising:

a cylinder rotatably supported in a housing, said cylinder having a longitudinal key slot and a plurality of transverse channels;

a locking mechanism positionable between an unlocked position and a locked position, said locking mechanism including a plurality of wafer tumblers resiliently supported in a corresponding one of said plurality of transverse channels, each of said plurality of wafer tumblers including a rider element selectively engagable with a base element in a first engagement position corresponding to a first key and a second engagement position corresponding to a second key, wherein each of said plurality of wafer tumblers includes a first set of wafer tumblers opposingly interlaced with a second set of wafer tumblers; and

a re-keying tool insertable in a re-keying slot centrally offset from the longitudinal key slot, the re-keying tool operable when said locking mechanism is in said unlocked position to disengage each rider element from each base element in said first engagement position and engage each rider element to each base element in said second engagement position, wherein said re-keying tool is associated with said first set of wafer tumblers and a second re-keying tool is insertable in a second re-keying slot and is associated with said second set of wafer tumblers.

21. A re-keyable lock comprising:

a cylinder rotatably supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot and a transverse channel;

a locking mechanism including a wafer tumbler resiliently supported in said transverse channel and positionable therein between an engaged position wherein said wafer tumbler engages said housing and a disengaged position wherein said wafer tumbler disengages said housing, said wafer tumbler including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element, said rider element comprising a pair of arms, said pair of arms capturing a body portion of said base element therebetween; and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed.

22. The lock of claim **21**, wherein said base element comprises a pair of legs extending from said body portion, said pair of legs being received in a mating portion of said transverse channel.

23. The lock of claim **22**, further comprising a pair of springs disposed in said mating portion of said transverse channel and engaging said pair of legs to bias said locking mechanism into said engaged position.

24. The re-keyable lock of claim **21** wherein said re-keying mechanism comprises a re-keying element positionable relative to said wafer tumbler within said cylinder to engage said coupling element.

25. A re-keyable lock comprising:

a cylinder rotatably supported in a housing between a locked position and an unlocked position, said cylinder having a longitudinal slot, a first set of transverse channels and a second set of transverse channels opposingly interlaced with said first set of transverse channels;

a locking mechanism including:

a first set of wafer tumblers resiliently supported in said first set of transverse channels and positionable therein between an engaged position wherein said first set of wafer tumblers engage said housing and a disengaged position wherein said first set of wafer tumblers disengage said housing; and

a set of second wafer tumblers resiliently supported in said second set of transverse channels and positionable therein between an engaged position wherein said second set of wafer tumblers engage said housing and a disengaged position wherein said second set of wafer tumblers disengage said housing;

each wafer tumbler of said first and second sets of wafer tumblers including a base element having an opening formed therethrough which is at least partially aligned with said longitudinal slot, a rider element positionable within said transverse channel relative to said base element and a coupling element positionable between a first position wherein said base element is coupled to said rider element and a second position wherein said base element is uncoupled from said rider element, said rider element comprising a pair of arms, said pair of arms capturing a body portion of said base element therebetween; and

a re-keying mechanism operable when said cylinder is in said unlocked position to move said coupling element from said first position to said second position for repositioning said rider element relative to said base element such that the lock is re-keyed.

26. The lock of claim **25**, wherein said base element comprises a pair of legs extending from said body portion, said pair of legs being received in a mating portion of said transverse channel.

27. The lock of claim **26**, further comprising a pair of springs disposed in said mating portion of said transverse channel and engaging said pair of legs to bias said locking mechanism into said engaged position.

28. The re-keyable lock of claim **25** wherein said re-keying mechanism comprises a re-keying element positionable relative to said wafer tumbler within said cylinder to engage said coupling element.

29. A re-keyable lock comprising:

a cylinder rotatable supported in a housing, said cylinder having a longitudinal key slot and a transverse channel;

a locking mechanism positionable between an unlocked position and a locked position, said locking mechanism including a wafer tumbler resiliently supported in said transverse channel, said wafer tumbler including a rider element selectively engagable with a base element in a first engagement position corresponding to a first key and a second engagement position corresponding to a second key; and

a re-keying slot centrally offset from the longitudinal key slot and operable for accessing said rider element when said locking mechanism is in said unlocked position to disengage said rider element from said base element in said first engagement position and engage said rider element to said base element in said second engagement position, wherein said rider, wherein said coupling element includes a flexible element biased to couple said base element and said rider element, said flexible element being deflectable to uncouple said base element and said rider element.

30. The lock of claim **29**, wherein said locking mechanism further comprises a plurality of wafer tumblers, each of said plurality of wafer tumblers resiliently supported in one of a plurality of transverse channels formed in said cylinder.

31. The lock of claim **30**, wherein each of said plurality of wafer tumblers comprises a first set of wafer tumblers opposingly interlaced with a second set of wafer tumblers.

32. The lock of claim **29**, wherein said rider element selectively engages a plurality of engagement formations in said base element, each of said plurality of engagement formations corresponding to a bitting size.

33. The lock of claim **32**, wherein each of said plurality of engagement formations comprise a tab.

34. The lock of claim **32**, wherein each of said plurality of engagement formations comprise a slot.

35. The lock of claim **29**, further comprising a re-keying tool insertable into said re-keying slot.

36. A re-keyable lock comprising:

a cylinder rotatably supported in a housing, said cylinder having a longitudinal key slot and a transverse channel;

a locking mechanism positionable between an unlocked position and a locked position, said locking mechanism including a wafer tumbler resiliently supported in said transverse channel, said wafer tumbler including a rider element selectively engagable with a base element in a first engagement position corresponding to a first key and a second engagement position corresponding to a second key; and

a re-keying slot centrally offset from the longitudinal key slot and operable for accessing said rider element when said locking mechanism is in said unlocked position to disengage said rider element from said base element in said first engagement position and engage said rider element to said base element in said second engagement position, wherein said re-keying slot is T-shaped.

37. A re-keyable lock comprising:

a cylinder rotatably supported in a housing, said cylinder having a longitudinal key slot and a transverse channel;

a locking mechanism positionable between an unlocked position and a locked position, said locking mechanism including a wafer tumbler resiliently supported in said transverse channel, said wafer tumbler including a rider element selectively engagable with a base element in a first engagement position corresponding to a first key and a second engagement position corresponding to a second key, wherein said base element comprises a first body portion and a pair of legs extending therefrom, said pair of legs being received in a mating portion of said transverse channel; a pair of springs disposed in said mating portion of said transverse channel and engaging said pair of legs to bias said locking mechanism into said engaged position; and

a re-keying slot centrally offset from the longitudinal key slot and operable for accessing said rider element when said locking mechanism is in said unlocked position to disengage said rider element from said base element in said first engagement position and engage said rider element to said base element in said second engagement position.

38. The lock of claim **37**, wherein said rider element comprises a pair of arms extending from a second body portion, said pair of arms capturing said first body portion therebetween.

39. A method for in-situ re-keying of a lock, the method comprising:

inserting a first key into a key hole of a lock cylinder;

rotating said lock cylinder relative to a housing with said first key to put the lock into a learn position;

accessing a re-keying slot of said lock cylinder, said re-keying slot being centrally offset from said key hole;

uncoupling a first element of a wafer tumbler from a second element of said wafer tumbler;

replacing said first key with a second key such that said first element is re-positioned relative to said second element;

biasing a flexible element interposed between said first element and said second element to couple said first element to said second element of said wafer tumbler;

rotating said lock cylinder to a locked position with said second key; and

removing said second key.

40. The method of claim **39**, wherein uncoupling includes deflecting said flexible element to uncouple said first element from said second element.

41. The method of claim **39**, wherein accessing includes inserting a re-keying tool into the re-keying slot.

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 6,973,813 B2
APPLICATION NO. : 10/729555
DATED : December 13, 2005
INVENTOR(S) : Edward Erdely

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page,
Item [56] **References Cited**, U.S. PATENT DOCUMENTS, Patent No. 3,735,612, "Popvici" should read -- Popovici --.

Item [56] **References Cited**, U.S. PATENT DOCUMENTS, page 2,
"5,781,181 A 7/1998 Yanai et al" should be
-- 5,791,181, A 8/1998 Sperber et al. --.

Item [56] **References Cited**, FOREIGN PATENT DOCUMENTS,
insert the following:
-- FOREIGN PATENT DOCUMENTS

EP	0157967	10/1985
EP	0210037	1/1987
EP	0872615	10/1998
WO	WO9314290	7/1993
WO	WO9736072	10/1997 --.

Column 5,
Line 65, "rotatable" should be -- rotatably --.

Column 6,
Lines 32 and 63, "rotatable" should be -- rotatably --.

Column 8,
Line 6, "rotatable" should be -- rotatably --.

Column 9,
Line 28, "rotatable" should be -- rotatably --.

Column 11,
Line 52, "rotatable" should be -- rotatably --.

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

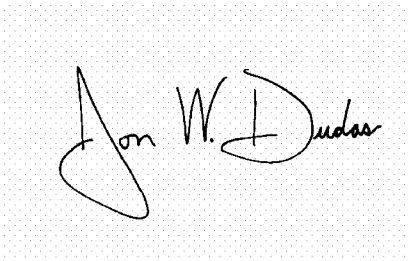
PATENT NO. : 6,973,813 B2
APPLICATION NO. : 10/729555
DATED : December 13, 2005
INVENTOR(S) : Edward Erdely

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 12,
Line 2, after "rider" insert -- element includes a coupling element, --.

Signed and Sealed this

Ninth Day of January, 2007



JON W. DUDAS
Director of the United States Patent and Trademark Office

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

KWIKSET CORPORATION and NEWFREY LLC

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
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Wilmington, DE 19899-1347, (302) 658-9200

DEFENDANTS

MASTER LOCK COMPANY LLC

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury

PERSONAL INJURY
- ☐ 362 Personal Injury - Med. Malpractice
- ☐ 365 Personal Injury - Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 444 Welfare
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 440 Other Civil Rights

PRISONER PETITIONS
- ☐ 510 Motions to Vacate Sentence

Habeas Corpus:
- ☐ 530 General
- ☐ 535 Death Penalty
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition

FORFEITURE/PENALTY
- ☐ 610 Agriculture
- ☐ 620 Other Food & Drug
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 630 Liquor Laws
- ☐ 640 R.R. & Truck
- ☐ 650 Airline Regs.
- ☐ 660 Occupational Safety/Health
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Mgmt. Relations
- ☐ 730 Labor/Mgmt.Reporting & Disclosure Act
- ☐ 740 Railway Labor Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Empl. Ret. Inc. Security Act

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☒ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 490 Cable/Sat TV
- ☐ 810 Selective Service
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 875 Customer Challenge 12 USC 3410
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 892 Economic Stabilization Act
- ☐ 893 Environmental Matters
- ☐ 894 Energy Allocation Act
- ☐ 895 Freedom of Information Act
- ☐ 900Appeal of Fee Determination Under Equal Access to Justice
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (**Do not cite jurisdictional statutes unless diversity**): 35 U.S.C. 271

Brief description of cause: Patent infringement

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE _____ DOCKET NUMBER _____

DATE
3/25/08

SIGNATURE OF ATTORNEY OF RECORD
Thomas Grimm /BSS

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____